

The Honorable Jamal N. Whitehead

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

MAYRA ROMERO, on behalf of herself and
all others similarly situated,

Plaintiff,

v.

AMAZON.COM, INC.,

Defendant.

No. 2:25-cv-00548-JNW

STIPULATED MOTION TO RE-FILE
AND NOTE AMAZON'S MOTION TO
DISMISS AND ~~PROPOSED~~ ORDER

NOTE ON MOTION CALENDAR:
April 1, 2025

Pursuant to the Clerk of Court's letter regarding transfer of this Action (Dkt. No. 26), Plaintiff Mayra Romero ("Plaintiff") and Defendant Amazon.com, Inc. ("Amazon") (collectively, "the Parties") respectfully submit this stipulated motion and proposed order to re-file and note Amazon's Motion to Dismiss and to set a briefing schedule on Amazon's Motion to Dismiss. In support of this stipulated motion, the Parties state as follows:

1. On December 5, 2024, Plaintiff filed a Class Action Complaint against Amazon in the United States District Court for the Southern District of California. (Dkt. No. 1).
2. On January 14, 2025, Plaintiff filed a First Amended Class Action Complaint. (Dkt. No. 15).
3. On January 28, 2025, Amazon filed a Motion to Transfer Venue (Dkt. No. 17) and a Motion to Dismiss Plaintiff's First Amended Complaint (Dkt. No. 18).

4. On February 11, 2025, the Southern District of California granted the Parties' Joint Motion to Modify Briefing Schedule, and, in relevant part, set a schedule for completing briefing on Amazon's Motion to Dismiss, under which: (1) Plaintiff's opposition to the Motion was due on April 7, 2025; and (2) Amazon's reply in support of its Motion was due on April 21, 2025. (Dkt. No. 20).

5. On March 24, 2025, the Southern District of California granted Amazon's Motion to Transfer and transferred the action to this Court. (Dkt. No. 24). In granting Amazon's Motion to Transfer, the Southern District of California did not address Amazon's Motion to Dismiss, except to vacate all pending dates to permit this Court to set appropriate dates. (*Id.* at 6).

6. On March 27, 2025, the Clerk of Court for the Western District of Washington issued a letter informing the Parties that "[i]f a motion is pending and undecided at the time of transfer, the moving party must refile the motion in this Court and note it for consideration on the Court's calendar in accordance with LCR 7(d)." (Dkt. No. 26).

7. Pursuant to the Court's March 27, 2025 Order, Amazon plans to refile its pending Motion to Dismiss, with updates as necessary to properly address the arguments to this Court.

8. On March 31, 2025, counsel for the Parties conferred and agreed to the following proposed stipulated briefing schedule for Amazon's refiled Motion to Dismiss:

(a) Amazon shall refile its Motion to Dismiss by April 4, 2025.

(b) Plaintiff shall file her Opposition to Amazon's Motion by April 25, 2025.

(c) Amazon shall file its Reply in Support of its Motion by May 9, 2025.

IT IS HEREBY STIPULATED AND AGREED by and between counsel for the Parties that: (a) Amazon shall refile its Motion to Dismiss Plaintiff's First Amended Complaint on or before **April 4, 2025**; (b) Plaintiff shall file her Opposition to Amazon's Motion to Dismiss on or before **April 25, 2025**; (c) Amazon shall file its Reply in Support of its Motion to Dismiss on or before **May 9, 2025**; and (d) the refiled Motion to Dismiss shall be noted on the Court's motion calendar for **May 9, 2025**.

SO STIPULATED AND JOINTLY SUBMITTED:

DATED this 1st day of April, 2025

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~~PROPOSED~~ ORDER

Pursuant to the Parties' Stipulated Motion to Re-File and Re-Note the Motion to Dismiss filed by Defendant Amazon.com, Inc., and for good cause shown, **IT IS HEREBY ORDERED THAT:**

- (a) Defendant shall refile its Motion to Dismiss Plaintiff's First Amended Complaint on or before **April 4, 2025**;
- (b) Plaintiff shall file her Opposition to Defendant's Motion to Dismiss on or before **April 25, 2025**;
- (c) Defendant shall file its Reply in Support of its Motion to Dismiss on or before **May 9, 2025**; and
- (d) The refiled Motion to Dismiss shall be noted on the Court's motion calendar for **May 9, 2025**.

IT IS SO ORDERED

DATED this 2nd day of April, 2025



HONORABLE JAMAL N. WHITEHEAD
UNITED STATES DISTRICT JUDGE